



Attorney Docket No. PC9344BRTR (121\*254)

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By

*John M. Marshall*

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hua Zhu Ke et al.

Serial No.: 09/736,051

Filed: December 13, 2000

For: COMBINATION THERAPY FOR  
OSTEOPOROSIS

Group Art Unit: 1623

Examiner: Leary, Louise N.

Commissioner for Patents  
Washington, D.C. 20231

Sir:

TERMINAL DISCLAIMER

Pfizer Inc is the owner of 100% interest in the above-captioned application; and in U.S. Patent No. 6,132,774, issued October 17, 2000. Pfizer Inc hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term of U. S. Patent No. 6,132,774, including any patent term extensions, restorations or adjustments for said patent available under all applicable statutes including

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**Serial No.: 09/736,051**

**PC9344BRTR (121\*254)**

35 U.S.C. §§ 154 through 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of U.S. Patent No. 6,132,774. The owner hereby agrees that any patent so granted on the above-captioned application shall be enforceable only for and during such period that the legal title to it and to the above-identified granted patent shall be commonly owned. This agreement runs with any patent granted on the above-captioned application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-captioned application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the above-identified grant patent, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that the granted patent expires for failure to pay a maintenance fee, is held unenforceable and/or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or its term is in any manner shortened prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

This Terminal Disclaimer is accompanied by a Fee Transmittal Sheet and a check for payment of the appropriate fee under 37 CFR § 1.20(d).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like

Serial No.: 09/736,051

PC9344BRTR (121\*254)

so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

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